

# COPY

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is original.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### SYSTEM FOR OPTIMIZATION OF GOLF CLUBS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_\_\_ is attached hereto.

x was filed on 4/21/99 as Application Serial No. 09/295,913 and amended on \_\_\_\_\_ (if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_, on and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

| (Number) | (Country) | (Day/Month/Year/Filed) | Yes | No |
|----------|-----------|------------------------|-----|----|
|----------|-----------|------------------------|-----|----|

|          |           |                        |     |    |
|----------|-----------|------------------------|-----|----|
| (Number) | (Country) | (Day/Month/Year/Filed) | Yes | No |
|----------|-----------|------------------------|-----|----|

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of

America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

|                          |               |                                       |
|--------------------------|---------------|---------------------------------------|
| (Application Serial No.) | (filing date) | (status-patented, pending, abandoned) |
|--------------------------|---------------|---------------------------------------|

|                          |               |                                       |
|--------------------------|---------------|---------------------------------------|
| (Application Serial No.) | (filing date) | (status-patented, pending, abandoned) |
|--------------------------|---------------|---------------------------------------|

PCT Applications designating the United States:

|                 |            |                                       |
|-----------------|------------|---------------------------------------|
| (PCT Appl. No.) | (U.S.S.N.) | (status-patented, pending, abandoned) |
|-----------------|------------|---------------------------------------|

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Sam Pasternack, Reg. No. 29,576; David J. Powsner, Reg. No. 31,868; Brenda Herschbach Jarrell, Reg. No. 39,223; Kevin M. Tormey, Reg. No. 41,351; Paul A. Pysher, Reg. No. 40,780; Elizabeth E. Nugent, Reg. No. 43,839; and Karoline K.M. Shair, Reg. No. 44,332.

Address all telephone calls to Elizabeth E. Nugent at telephone no. (617) 248-5000.

Address all correspondence to Elizabeth E. Nugent, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109-2891.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of inventor: Howard B. Sosin

Inventor's signature: H.B. Date: \_\_\_\_\_

Residence: 640 Sasco Hill Road, Fairfield CT 06430

Citizenship: \_\_\_\_\_

Post Office Address: Same

Applicant : Howard B. Sosin  
 Serial No. : 09/295,913  
 Filed : April 21, 1999  
 For : SYSTEM FOR OPTIMIZATION OF GOLF CLUBS

**COPY**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**37 CFR 1.9(f) and 1.27(b)**  
**INDEPENDENT INVENTOR**

As below-named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention titled:

TITLE: System for Optimization of Golf Clubs  
 by:

INVENTOR(S): Howard B. Sosin  
 described in:

- ( ) the specification filed herewith
- (X) U.S. Patent Application Serial Number 09/295,913  
           filed April 21, 1999
- ( ) U.S. Patent Number \_\_\_\_\_  
           issued \_\_\_\_\_

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- (X) no such person, concern, or organization
- ( ) persons, concerns, or organizations listed below\*:

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention, averring to their status as small entities. (37 CFR 1.27).

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NON-PROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF SOLE INVENTOR: Howard B. Sosin  
ADDRESS OF INVENTOR: 640 Sasco Hill Road  
Fairfield, CT 06430

SIGNATURE: H.B.S. DATE: \_\_\_\_\_

**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Charles Lyon is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of the Choate, Hall & Stewart law firm to prepare and prosecute patent applications wherein the patent applicant is the client of the Choate, Hall & Stewart law firm, and the attorney or agent of record in the applications is a registered practitioner who is a member of the Choate, Hall & Stewart law firm. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Charles Lyon ceases to lawfully reside in the United States, (ii) Charles Lyon's employment with the Choate, Hall & Stewart law firm ceases or is terminated, or (iii) Charles Lyon ceases to remain or reside in the United States on an H1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the United States Patent and Trademark Office.

Expires: May 16, 2004

  
Harry I. Moatz

Harry I. Moatz

Director of Enrollment and Discipline